

Fond du Lac Reservation

Business Committee

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Peter J. Defoe

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Dist. II Councilman
V.R. "Butch" Martineau

Dist. III Councilman
George Dupuis

Executive Director
I. Jean Mulder

Thomas V. Skinner
Regional Administrator
United States Environmental Protection Agency, Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

September 28, 2001

Re: Certification of Proper Adoption of Tribal Water Quality Standards, as amended

Dear Mr. Skinner:

On September 11, 2001, the Fond du Lac Reservation Business Committee (RBC) approved amendments to the Fond du Lac Band of Lake Superior Chippewa's water quality standards, FDL Ordinance 12/98. These amendments were drafted as a response to the results of the lengthy review by Region 5 and EPA Headquarters staff of the band's original water quality standards ordinance. The RBC has directed me to certify to you that these amendments to our water quality standards were duly approved according to Fond du Lac tribal governing procedures.

The Fond du Lac Band of Lake Superior Chippewa derives its authority to regulate and set water quality standards applicable to the entire Reservation from its inherent powers as a sovereign nation, including its power to protect the health and safety of all persons within the exterior boundaries of the Reservation. The United States Supreme Court has also recognized the rights of Indian tribes to the use of waters which arise on, border, traverse, underlie or are encompassed within an Indian reservation, whether created by treaty, agreement, executive order, congressional act or secretarial order. The Fond du Lac Band is governed by the Minnesota Chippewa Tribe Constitution and By-laws, adopted in 1964, which delegates governing authority for each of six constituent reservations to Reservation Business Committees (Tribal Councils).

The Fond du Lac Environmental Program published hearing notices, provided draft amendments to the standards for public review, and held a public meeting on June 22, 2001. The RBC approved the amendments by resolution after consideration of input received from this public participation process. I certify that these amendments to the tribal water quality standards were approved in accordance with the laws of the Band.

Sincerely,

Peter Defoe, Fond du Lac Secretary/Treasurer

Enclosures

c: Kathleen Mayo, USEPA Region 5 Water Division, Jo Lynn Traub, Director

File Copy → K. Mayo